REMARKS

Claims 1-57, 62-63 and 159-164 are pending in the instant application. Claims 58-61 and 64-158 have been cancelled. New claims 159-164 have been added. Claim 63 has been amended. Support for new claims 159-164 can be found, for example, in the claims as originally filed. Thus, upon entry of the foregoing amendment, claims 1-57, 62-63 and 159-164 will be pending in the instant application.

No new matter has been added. Applicants request that the amendments to the claims be entered. The foregoing claim amendments and cancellations should in no way be construed as an acquiescence to any of the Examiner's rejections and were made solely to expedite prosecution of the present application. Applicants reserve the right to pursue the claims as originally filed in this or a separate application(s).

Election/Restriction

The Examiner has required restriction to one of the following inventions as required under 35 U.S.C. 121:

Group I:	Claims 1-41 and 62 (in part), drawn to a humanized immunoglobulin and pharmaceutical compositions comprising same, classified in class 424, subclass 130.1, for example.
Group II:	Claims 42-48 and 62 (in part), drawn to a humanized immunoglobulin and pharmaceutical compositions comprising same, classified in class 424, subclass 130.1, for example.
Group III:	Claims 49-52 and 62 (in part), drawn to a humanized immunoglobulin and pharmaceutical compositions comprising same, classified in class 424, subclass 130.1, for example.
Group IV:	Claim 53, drawn to a chimeric immunoglobulin, classified in class 530, subclass 387.1, for example.
Group V:	Claims 54 and 56, drawn to an immunoglobulin comprising SEQ ID NO: 5 and SEQ ID NO: 8, classified in class 530, subclass 387.1, for example.
Group VI:	Claims 55 and 57, drawn to an immunoglobulin comprising SEQ ID NO: 11 and SEQ ID NO: 12, classified in class 530, subclass 387.1, for example.
Group VII:	Claims 58-61 (each in part), drawn to a method of preventing or treating an amyloidogenic disease in a patient comprising

administering to the patient an effective dosage of the immunoglobulin of Invention I, classified in class 424, subclass 130.1, for example.

Group VIII: Claims 58-61 (each in part), drawn to a method of preventing or treating an amyloidogenic disease in a patient comprising administering to the patient an effective dosage of the immunoglobulin of Invention II, classified in class 424, subclass 130.1, for example.

Group IX: Claims 58-61 (each in part), drawn to a method of preventing or treating an amyloidogenic disease in a patient comprising administering to the patient an effective dosage of the immunoglobulin of Invention III, classified in class 424, subclass 130.1, for example.

Group X: Claims 63, 69, and 70, drawn to an isolated polypeptide, classified in class 530, subclass 300, for example.

Group XI: Claims 72, 77, 78, 79, 80, and 81, drawn to a method for producing an antibody recombinantly, nucleic acids, vectors, and host cell comprising same, classified in class 435, subclass 69.1, for example.

Group XII: Claims 82 and 83, drawn to a method for identifying residues amenable to substitution in a humanized 3D6 immunoglobulin variable framework region and use of the variable region sequence set forth as SEQ ID NO: 2 or 4, or any portion thereof, in producing a three-dimensional image of a 3D6 immunoglobulin, 3D6 immunoglobulin chain, or domain thereof, classification dependent upon method steps.

Group XIII: Claims 84, 85, 114, and 137 (in part), drawn to a humanized immunoglobulin and pharmaceutical compositions comprising same, classified in class 424, subclass 130.1, for example.

Group XIV: Claims 123 and 137 (in part), drawn to a humanized immunoglobulin and pharmaceutical compositions comprising same, classified in class 424, subclass 130.1, for example.

Group XV: Claim 133 (in part), drawn to a method of preventing or treating an amyloidogenic disease in a patient comprising administering to the patient an effective dosage of the immunoglobulin of Invention XIII, classified in class 424, subclass 130.1, for example.

Group XVI: Claim 133 (in part), drawn to a method of preventing or treating an amyloidogenic disease in a patient comprising administering to the patient an effective dosage of the immunoglobulin of Invention XIV, classified in class 424, subclass 130.1, for example.

Group XVII: Claims 147, 148, 150, 152, 153, and 154, drawn to a method for producing an antibody recombinantly, nucleic acids, vectors, and

host cell comprising same, classified in class 435, subclass 69.1, for example.

Group XVIII: Claim 157, drawn to a method of identifying residues amenable to substitution in a humanized 10D5 immunoglobulin variable framework region, classification dependent upon method steps.

Applicants traverse.

In a telephonic interview held between Applicants' attorney, Amy E. Mandragouras (Reg. No. 36,207) and the Examiner on February 23, 2004, Applicants' position was discussed. Applicants' gratefully appreciate the opportunity to discuss the restriction requirement with the Examiner and appreciate that the Examiner appears receptive to Applicants' position regarding rejoinder of Groups I-VI and X. While Applicants' anticipate a rejoinder of the claims of Groups I-VI and X for examination purposes, to be fully responsive to the outstanding Office Action, Applicants hereby elect Group I for prosecution in the present application. Applicants' further appreciate the opportunity to discuss a potential rejoinder of certain Groups directed to the remaining subject matter (detailed below).

It is Applicants' position that restriction of the pending claims under 35 U.S.C. 121 is, in part, improper. In particular, it is Applicants' position that the Examiner has characterized the claimed subject matter as relating to *eighteen* (18) distinct inventions when in fact, certain claims are directed to related, distinct inventions that would be appropriately examined together.

It is Applicants' position that the subject matter claimed in Groups I - VI and X although distinct, is related (albeit patentably distinct) and should be appropriately examined together. It is Applicants' position that searches of the subject matter of the Groups I - VI and X would be coextensive and there would be no undue burden on the Examiner to search the subject matter of the groups. In particular, Applicants note that each of Groups I - VI and X include claims directed to humanized 3D6 immunoglobulins or immunoglobulin chains, or fragments thereof, or polypeptides including 3D6 CDRs. In view of the relatedness of the claimed subject matter, it is Applicants' position that search and examination of the claimed subject matter can be made without undue burden on the Examiner.

Regarding the subject matter of Group X, the Examiner states that claim 63 is generic and that a species election (for examination purposes only) between the subject matter of

subparts (a)-(g) is required. Applicants note that claim 63 has been amended such that it is directed only to the subject matter of prior subpart (a). Accordingly, claim 63 is no longer generically directed to "polypeptides". The subject matter of subparts (b) - (g) is now recited in claims 159-164. Based on the amendment of claim 63, Applicants' submit that the requirement for election of species is moot, *i.e.*, there is no longer a generic linking claim. Applicants respectfully submit that the subject matter of claims 63 and 159-164 constitutes related subject matter that should be appropriately examined together. However, should the Examiner still consider the subject matter as belonging to a genus, Applicants' elect the subject matter of claim 63 (claim 63 reading on the elected subject matter) for prosecution on the merits. Applicants would be willing to add a new generic linking claim should the Examiner maintain the genus-species characterization of the subject matter of claims 63 and 159-164. It is Applicants' understanding that upon the allowance of any generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

Claims 58-61, 72, and 77-83 (directed to methods of making and/or using humanized 3D6 immunoglobulins, etc.) have been cancelled as directed to non-elected subject matter. With respect to claims 58-61 (directed to therapeutic methods of using humanized 3D6 immunoglobulins, etc. in Groups VII - IX), however, Applicants wish to make the following remarks in traversal of record. Based on the relatedness of the composition-of-matter claims of Groups I - VI and X, it is respectfully submitted that the corresponding therapeutic method claims of Groups VII - IX should appropriately be examined together. These remarks should not be construed as limiting Applicants right to present additional remarks of record in traversal of this restriction should these claims be pursued in a divisional application.

Claims 84-85, 114, 123, 133, 137, 147-148, 150, 152-154 and 157 (directed to humanized 10D5 immunoglobulins, chains and fragments and methods of making and using same) have also been cancelled as directed to non-elected subject matter. However, Applicants wish to make the following remarks in traversal of record. It is Applicants' position that the subject matter of Groups XIII - XIV, directed to humanized 10D5 immunoglobulins or immunoglobulin chains (or fragments thereof), should appropriately be examined together as related, distinct inventions. It is further respectfully submitted that the corresponding method of treatment claims of Groups XV - XVI (*i.e.*, methods of preventing

or treating amyloidogenic disease using the humanized 10D5 immunoglobulins, etc.) should appropriately be examined together. These remarks should not be construed as limiting Applicants right to present additional remarks of record in traversal of this restriction should these claims be pursued in a divisional application.

SUMMARY

Applicants respectfully submit that the above-identified application is in condition for allowance. If a telephone conversation with Applicants' attorney would expedite prosecution of the above-identified application, the Examiner is urged to call Applicants' Attorney at (617) 227-7400.

Respectfully submitted,

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